

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TRICCO Devon Slade

Write the full name of each plaintiff.

No. _____
(To be filled out by Clerk's Office)

-against-

COMPLAINT
(Prisoner)

Do you want a jury trial?
☒ Yes ☐ No

City OF New York

NYPD, NYCD,

NYC Health & Hospitals

Queens Defenders; ~~Queens County D.A.~~

Write the full name of each defendant. If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed above must be identical to those contained in Section IV.

NOTICE

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

I. LEGAL BASIS FOR CLAIM

State below the federal legal basis for your claim, if known. This form is designed primarily for prisoners challenging the constitutionality of their conditions of confinement; those claims are often brought under 42 U.S.C. § 1983 (against state, county, or municipal defendants) or in a "Bivens" action (against federal defendants).

☒ Violation of my federal constitutional rights

☐ Other: _____

II. PLAINTIFF INFORMATION

Each plaintiff must provide the following information. Attach additional pages if necessary.

Ricco D Slade
First Name Middle Initial Last Name

State any other names (or different forms of your name) you have ever used, including any name you have used in previously filing a lawsuit.

4412203325

Prisoner ID # (if you have previously been in another agency's custody, please specify each agency and the ID number (such as your DIN or NYSID) under which you were held)

Otis Bantam Correctional Center

Current Place of Detention

16-00 Hazen Street

Institutional Address

At East Elmhurst NY 11370
County, City State Zip Code

III. PRISONER STATUS

Indicate below whether you are a prisoner or other confined person:

☒ Pretrial detainee

☐ Civilly committed detainee

☐ Immigration detainee

☐ Convicted and sentenced prisoner

☐ Other: _____

IV. DEFENDANT INFORMATION

To the best of your ability, provide the following information for each defendant. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are identical to those listed in the caption. Attach additional pages as necessary.

Defendant 1:

John Doe
 First Name Last Name Shield #
Detective (Robbery Division)
 Current Job Title (or other identifying information)
94-41 43-d Ave
 Current Work Address
Queens NY
 County, City State Zip Code

Defendant 2:

John Doe
 First Name Last Name Shield #
Detective (Robbery Division)
 Current Job Title (or other identifying information)
94-41 43-d Ave
 Current Work Address
Queens NY
 County, City State Zip Code

Defendant 3:

Peter Barta
 First Name Last Name Shield #
Public Defender
 Current Job Title (or other identifying information)
118-21 Queens Blvd FL 2
 Current Work Address
Forest Hills NY
 County, City State Zip Code

Defendant 4:

Ms. Aggarwal 11375
 First Name Last Name Shield #
OM Doctor
 Current Job Title (or other identifying information)
Belleuve Hospital
 Current Work Address
New York NY
 County, City State Zip Code

V. STATEMENT OF CLAIM

Place(s) of occurrence: 110th Precinct, Queens Criminal Court;
OBCC (Rikers Island) Bellevue Hospital
(19th)

Date(s) of occurrence: 12/28/2022; Jan 13th 2023 - Jan 19th
2023; 3/30/23; November 1 2023

FACTS:

12/13/23; 12/14/2023
State here briefly the FACTS that support your case. Describe what happened, how you were harmed, and how each defendant was personally involved in the alleged wrongful actions. Attach additional pages as necessary.

On 12/28/2022, I received a call. It
was from the case worker at the Hotel
I lived in, which served as a Covid
shelter for individuals who were being
released during the pandemic. She
informed me that a detective wanted;
in her words: "to question me about
something that happened to someone."
I didn't think too much into it, so
I asked for his cell phone number, so
that I could call him. She sent me
a picture of his Business Card via
text. I called, and he asked me to
meet him at the 110th Precinct in
Queens. I told him that I was at
work, and that I didn't know where
the precinct was located. He offered
to pick me up from my job site. I told
him that I would have to email my
employer, which was the Horticulture

Society of New York at the time. He told me that wouldn't be necessary, that he just wanted to ask me a few questions, and that I would be able to return to my job site afterward. I agreed to allow him to pick me up. The Warrant Task Force arrived instead, and placed me in cuffs. I was reassured that I would just be questioned and then released.

INJURIES:

If you were injured as a result of these actions, describe your injuries and what medical treatment, if any, you required and received.

cont. on
additional
paper

My Fourth, Sixth, Eighth, and Fourteenth Amendment Rights were violated between 12/28/2022 - 12/14/2023 in addition to my First Amendment Religious Freedom right being violated between 3/2/23 - 3/20/2023

VI. RELIEF

State briefly what money damages or other relief you want the court to order.

I would like to receive compensatory and Punitive Damages For Pain and Suffering

When we arrived at the precinct, I was taken to The Robbery Division, where I was placed in a interrogation room. I was frisked, and my belt, shoestrings and Bahai Prayer Beads were taken from me. I had to wait a couple hours for the detectives to arrive, and I was offered food and coffee. When the detectives finally made it, they moved me to another room, and after introducing themselves to me, they placed me back into the interrogation room that I was initially in. I continued to wait there until they finally came to question me. I refused to answer any questions without an attorney present. One of the detectives said: "Oh, so you know your rights, huh? You don't have to answer my questions; you're getting arrested for Robbery!" I was taken to be fingerprinted and to get photos taken. I was not read my Miranda Rights. I was placed in a Bullpen at the Precinct overnight and taken to Court the next day. While being processed, I was asked about my Mental Health status. I admitted to having a Mental Health history, but let the person conducting the evaluation know that I wasn't currently symptomatic. The officer who escorted me to the Court House said "You said too much, now they gonna get these fucking shrink involved and all this shit is gonna

take longer." I was taken back to the Precinct, where I had to wait again. I was finally produced to Court and introduced to my first attorney: Nicandro Innachi. He informed me that they were holding me because of (2) articles of clothing that had my DNA on them. He asked did I have any money to post Bail. I told him that I didn't, so he told me that I would be taken to Rikers Island. I ended up getting slashed in front of a Correctional Officer on January 9th 2023, and had to receive 16 stitches on the left side of my neck. The wound was $\frac{1}{2}$ a cm away from my Jugular Vein. I currently have a Lawyer: Micheal T Ridge, handling that suit on my behalf. On January 13th 2023 I found out that I had been exposed to someone who had Covid-19, and that I had been infected. I was placed in quarantine. I was supposed to be produced to court on January 17th 2023, but I wasn't. I was also assigned a Social Worker: Candace Thomas, who scheduled a video conference on January 18th 2023 to inquire about why I didn't show up to Court. I told her that I didn't refuse, and she let me know that a new Court date had been set for January 30th 2023. During my quarantine, I asked to see the chaplain, because I'm a registered Bahai, and we're obligated to Fast every March, between the 2nd - 20th, or for 19 days. I

talked to the Jewish Chaplain, and gave him everything he need to get in touch with my National Spiritual Assembly. I was taken off quarantine and placed in 12 Mod A Housing unit in AMKC on Trivers Island. I was arraigned on January 30th 2023. My Cash Bail was set at \$75,000; insured Bond was set at \$125,000; and partially secure surety Bond was set at \$250,000.

My next Court Date was set for March 1st 2023, a day before my 19-day Fast started. The Facility did not recognize my religion so they didn't accommodate me on my Fast. On March 1st 2023, Mr. Imachi informed me that we were waiting on the District Attorney to submit the Certificate of Compliance, and that if they failed to submit it, then there was a chance that I would be going home. My next court Date was set for March 30th 2023. I had to wait until then to find out that Mr. Imachi was no longer my attorney. He had transferred my case to my current attorney: Peter Barta. When we met, he told me that the District Attorney decided to file and submit the Certificate of Compliance last minute, and instead of (2) articles of clothing with my DNA, there was now 600 pieces of evidence. He said that my case was not triable because of the evidence against me and that the D.A.'s first offer for me was 15 to life. I was

confused and upset, but deep down I was anxious and scared. "15 to life?" I asked. "Why?" "I thought I was going home." Peter informed me that since I had (2) prior convictions; one in New York, and one in North Carolina; and since I was considered a Predicate, I was eligible for Life Imprisonment. I was devastated at the thought of not seeing my sixteen year old daughter again, and not being able to go back to my hometown of Greensboro, North Carolina to spend time with my Mother and Sister. I'm paranoid. I'm scared. I think I'm going to die in prison. I just want to go home. To have another chance to do the right thing. My social worker suggested that I should get a Psych Evaluation, and I was assigned a Forensic Psychologist: Dr. Francisco Lopez. We met a few times via video conference and once in person. It was a very agitating experience and everyone started suggesting that I take medication. even though I feel competent without it. You sending me to prison for the rest of my life and you want me to be a victim doped up on psych meds? How am I going to safeguard myself? November 1st 2023, I was getting ready for lights out. One of the Correctional Officer's approached me and said I had a call out to go to Bellevue Hospital. I asked him why.

(5)

He told me that I had been referred by the Mental Health staff, here at Otis Bantum Correctional Center. I was taken there in the middle of the night and admitted to 19 West psych unit. The doctor assigned to me: Dr. Aggarwal kept forcing me to take meds and I kept refusing. "I don't need them." I would say. "I'm not symptomatic." I'm not homicidal, suicidal, or actively psychotic. I just want to go home. I just want to live a regular life, and I'm dealing with trying to cope with living the rest of my life in prison. No wife, no son, no hope. How am I suppose to feel? How am I suppose to act? Dr. Aggarwal told me that the only way I could come back to Rikers Island is if I took my meds. I refused. Eventually she said I would have Court proceedings and I would be mandated to take the meds. I didn't want to go through that so against my best judgment, I submitted. I agreed to take the lowest dosage of Abilify, but once I started, she just kept increasing the dose. Then she said that I wouldn't be able to come back to Rikers Island until I took a Bi- Monthly injection of 1,064 milligrams of Abilify Aristada. (which I'm currently on now; next shot scheduled for January 29 2024) I was taken to court from Bellevue

on December 13 2023. I didn't see the judge. Instead I saw Peter and Candace. They inquired about my mental well-being and informed me that I would be getting a DNA Swab. I was also informed that my case had been transferred to a new District Attorney. On December 14 2023, I returned back to Rikers Island, Otis Bantam Correctional Center. I was told that my property was packed up by a fellow inmate and stored by the Correctional Staff but when I was taken to retrieve it, it couldn't be located. I submitted a claim to the NYC Comptroller.

VII. PLAINTIFF'S CERTIFICATION AND WARNINGS

By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.


I understand that if I file three or more cases while I am a prisoner that are dismissed as frivolous, malicious, or for failure to state a claim, I may be denied *in forma pauperis* status in future cases.

I also understand that prisoners must exhaust administrative procedures before filing an action in federal court about prison conditions, 42 U.S.C. § 1997e(a), and that my case may be dismissed if I have not exhausted administrative remedies as required.

I agree to provide the Clerk's Office with any changes to my address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

1/17/2024
Dated


Plaintiff's Signature

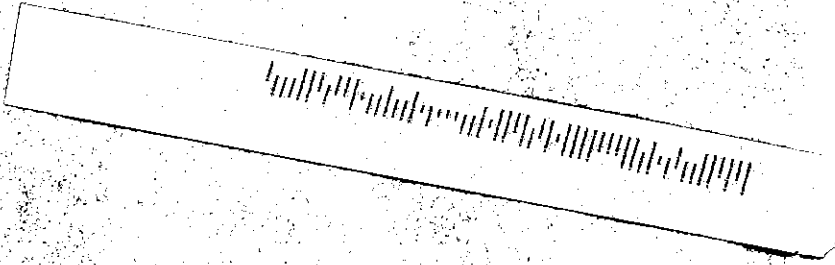
TRICCO D Slade
First Name Middle Initial Last Name

16-00 Hazen Street
Prison Address

East Elmhurst NY 11370
County, City State Zip Code

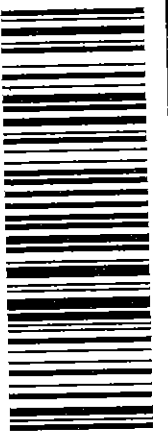
Date on which I am delivering this complaint to prison authorities for mailing: 1/17/2024

Trace Slide #4412203325
16-00 Hazen Street
East Elmurst, NY 11370



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SDNY PRO SE OFFICE
2024 JAN 22 PM 4:03

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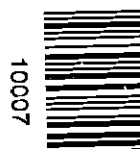


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